

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re REFCO INC. SECURITIES LITIGATION	:	Case No. 07-MD-1902 (GEL)
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		Case No. 08-CV-07416 (GEL)
		Case No. 08-CV-3086 (GEL)
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KENNETH M. KRYIS, <i>et al.</i> ,	:	<u>ELECTRONICALLY FILED</u>
	:	
Plaintiffs,	:	NOTICE OF MOTION FOR
	:	PARTIAL SUMMARY JUDGMENT
-against-	:	
	:	<u>ORAL ARGUMENT REQUESTED</u>
ROBERT AARON, <i>et al.</i> ,	:	
	:	
Defendants.	:	
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PLEASE TAKE NOTICE THAT upon the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Partial Summary Judgment, and the accompanying Joint Rule 56.1 Statement and Declaration of Lee M. Andelin, dated December 31, 2012 (and exhibits thereto), the undersigned will move this Court for an order granting partial summary judgment against Defendants Derivatives Portfolio Management, Ltd., Derivatives Portfolio Management, LLC, DPM Mellon, Limited, and DPM Mellon, LLC pursuant to Rule 56 of the Federal Rules of Civil Procedure, and granting such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE THAT in accordance with the directive of the Special Master, any Opposition to this Motion for Partial Summary Judgment shall be served and filed by March 1, 2013 and any Reply to any Opposition to this Motion for Partial Summary Judgment shall be served and filed by March 22, 2013.

Dated: December 31, 2012
Phoenix, Arizona

BEUS GILBERT PLLC

By: /s/ Lee M. Andelin
Leo R. Beus (admitted *pro hac vice*)
Dennis Blackhurst (admitted *pro hac vice*)
Lee M. Andelin (admitted *pro hac vice*)

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